



ACTION PACKET

Transportation & Economic Development Appropriations Committee

**Monday, April 17, 2006
3:00 p.m. – 4:00 p.m.
Reed Hall (102)**

**Allan G. Bense
Speaker**

**Don Davis
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Allan G. Bense

Transportation & Economic Development Appropriations Committee

Start Date and Time: Monday, April 17, 2006 03:00 pm

End Date and Time: Monday, April 17, 2006 04:00 pm

Location: Reed Hall (102 HOB)

Duration: 1.00 hrs

Consideration of the following bill(s):

HB 959 CS Motor Vehicle Safety Pilot Program by Roberson

HB 1115 CS South Florida Regional Transportation Authority by Greenstein

HB 1359 CS Hazard Mitigation for Coastal Redevelopment by Benson

HB 1467 CS Capital Formation by Grant

HB 7055 CS Enterprise Zones by Economic Development, Trade & Banking Committee

HB 7167 Growth Management by Growth Management Committee

NOTICE FINALIZED on 04/13/2006 16:20 by SLB

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Don Davis (Chair)	X		
Loranne Ausley			X
Gus Billirakis	X		
Ellyn Setnor Bogdanoff	X		
Susan Bucher	X		
Donna Clarke	X		
Marti Coley	X		
Joyce Cusack	X		
Mike Davis			X
Richard Glorioso	X		
Gayle Harrell	X		
Adam Hasner	X		
Edward Jennings	X		
Randy Johnson	X		
Dick Kravitz	X		
Marcelo Llorente	X		
Sheri McInvale	X		
Pat Patterson	X		
Ray Sansom	X		
Irving Slosberg	X		
Totals:	18	0	2

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 959 CS : Motor Vehicle Safety Pilot Program

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Susan Bucher	X				
Donna Clarke				X	
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso	X				
Gayle Harrell			X		
Adam Hasner	X				
Edward Jennings	X				
Randy Johnson	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 1115 CS : South Florida Regional Transportation Authority

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis			X		
Ellyn Setnor Bogdanoff	X				
Susan Bucher	X				
Donna Clarke	X				
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso			X		
Gayle Harrell			X		
Adam Hasner	X				
Edward Jennings				X	
Randy Johnson		X			
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 12		Total Nays: 1			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

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COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 1359 CS : Hazard Mitigation for Coastal Redevelopment

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis			X		
Ellyn Setnor Bogdanoff	X				
Susan Bucher	X				
Donna Clarke				X	
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso			X		
Gayle Harrell			X		
Adam Hasner	X				
Edward Jennings				X	
Randy Johnson	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 12		Total Nays: 0			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1359 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



Council/Committee hearing bill: Transportation & Economic
Development Appropriations Committee
Representative Patterson offered the following:

Amendment (with title amendment)

Between lines 134 and 135 insert:

Section 4. Subsections (2) and (3) of section 163.336,
Florida Statutes, are amended to read:

(2) PILOT PROJECT ADMINISTRATION.--

(a) To be eligible to participate in this pilot project,
all or a portion of the area must be within:

1. The coastal building zone as defined in s. 161.54; and
2. A community redevelopment area, enterprise zone,
brownfield area, empowerment zone, or other such economically
deprived areas as designated by the county or municipality with
jurisdiction over the area.

(b) Local governments are encouraged to use the full range
of economic and tax incentives available to facilitate and
promote redevelopment and revitalization within the pilot
project areas.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

22 (c) The Office of the Governor, Department of
23 Environmental Protection, and the Department of Community
24 Affairs are directed to provide technical assistance to expedite
25 permitting for redevelopment projects and construction
26 activities within the pilot project areas consistent with the
27 principles, processes, and timeframes provided in s. 403.973.

28 (d) The Department of Environmental Protection shall
29 exempt construction activities within the pilot project area in
30 locations seaward of a coastal construction control line and
31 landward of existing armoring from certain siting and design
32 criteria pursuant to s. 161.053. However, such exemption shall
33 not be deemed to exempt property within the pilot project area
34 from applicable local land development regulations, including
35 but not limited to, setback, side lot line, and lot coverage
36 requirements. Such exemption shall apply to construction and
37 redevelopment of structures involving the coverage, excavation,
38 and impervious surface criteria of s. 161.053, and related
39 adopted rules, as follows:

40 1. This review by the department of applications for
41 permits for coastal construction within the pilot project area
42 must apply to construction and redevelopment of structures
43 subject to the coverage, excavation, and impervious surface
44 criteria of s. 161.053, and related adopted rules. It is the
45 intent of these provisions that the pilot project area be
46 enabled to redevelop in a manner which meets the economic needs
47 of the area while preserving public safety and existing
48 resources, including natural resources.

49 2. The criteria for review under s. 161.053 are applicable
50 within the pilot project area, except that the structures within
51 the pilot project area shall not be subject to specific shore

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

parallel coverage requirements and are allowed to exceed the 50 percent impervious surface requirement. In no case shall stormwater discharge be allowed onto, or seaward of, the frontal dune. Structures are also not bound by the restrictions on excavation unless the construction will adversely affect the integrity of the existing seawall or rigid coastal armoring structure or stability of the existing beach and dune system. It is specifically contemplated that underground structures, including garages, will be permitted. However, during the permit-review process, pursuant to s. 161.053, the department may favorably consider authorized sand placement on adjacent properties if the permittee has demonstrated every reasonable effort to effectively use all beach-quality material on site to enhance the beach and dune system, and has prepared a comprehensive plan for beach and dune nourishment for the adjoining area. All beach-compatible material excavated under this subparagraph must be maintained on site seaward of the coastal construction control line.

3. The review criteria in subparagraph 2. will apply to all construction within the pilot project area lying seaward of the coastal construction control line and landward of an existing viable seawall or rigid coastal armoring structure, if such construction is fronted by a seawall or rigid coastal armoring structure extending at least 1,000 feet without any interruptions other than beach access points. For purposes of this section, a viable seawall or rigid coastal armoring structure is a structure that has not deteriorated, dilapidated, or been damaged to such a degree that it no longer provides adequate protection to the upland property when considering the following criteria, including, but not limited to:

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

82 a. The top must be at or above the still water level,
83 including setup, for the design storm of 30-year return storm
84 plus the breaking wave calculated at its highest achievable
85 level based on the maximum eroded beach profile and highest
86 surge level combination, and must be high enough to preclude
87 runup overtopping;

88 b. The armoring must be stable under the design storm of
89 30-year return storm including maximum localized scour, with
90 adequate penetration; and

91 c. The armoring must have sufficient continuity or return
92 walls to prevent flooding under the design storm of 30-year
93 return storm from impacting the proposed construction.

94 4. Where there exists a continuous line of rigid coastal
95 armoring structure on either side of unarmored property and the
96 adjacent line of rigid coastal armoring structures are having an
97 adverse effect on or threaten the unarmored property, and the
98 gap does not exceed 100 feet, the department may grant the
99 necessary permits under s. 161.085 to close the gap.

100 5. Structures approved pursuant to this section shall not
101 cause flooding of or result in adverse impacts to existing
102 upland structures or properties and shall comply with all other
103 requirements of s. 161.053 and its implementing rules.

104 6. Where there exists a continuous line of viable rigid
105 coastal armoring structure on either side of a nonviable rigid
106 coastal armoring structure, the department shall grant the
107 necessary permits under s. 161.085 to replace such nonviable
108 rigid coastal armoring structure with a viable rigid coastal
109 armoring structure as defined in this section. This shall not
110 apply to rigid coastal armoring structures constructed after May

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

1, 1998, unless such structures have been permitted pursuant to
s. 161.085(2).

(3) PILOT PROJECT EXPIRATION.--The authorization for the
pilot project and the provisions of this section expire December
31, 2014 ~~2006~~. The department and affected local governments
shall provide for an independent analysis of the economic value
and environmental impact of the pilot project and provide a
report to the Legislature on or before February 1, 2008. ~~The~~
~~Legislature shall review these requirements before their~~
~~scheduled expiration.~~

===== T I T L E A M E N D M E N T =====

Remove line 26 and insert:

163.336, F.S., revising the requirements for the placement of
beach-compatible material that is excavated during the pilot
project; extending the expiration date of the pilot project;
requiring a report; amending s. 381.0065, F.S., requiring the
issuance of certain permits

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COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 1467 CS : Capital Formation

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Susan Bucher		X			
Donna Clarke				X	
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso			X		
Gayle Harrell			X		
Adam Hasner	X				
Edward Jennings	X				
Randy Johnson	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 13		Total Nays: 1			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. **HB 1467 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

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Council/Committee hearing bill: Transportation & Economic
Development Appropriations Committee
Representative(s) Grant offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Parts X and XI of chapter 288, Florida
Statutes, are redesignated as parts XI and XII, respectively,
and a new part X of that chapter, consisting of section
288.9621, Florida Statutes, is created to read:

288.9621 Capital formation.--

(1) SHORT TITLE.--This section may be cited as the
"Florida Capital Formation Act."

(2) DEFINITIONS.--As used in this section, the term:

(a) "Business unit" means an employing unit, as defined in
s. 443.036, which is registered with the Agency for Workforce
Innovation for purposes of unemployment compensation or a
subcategory or division of an employing unit that is accepted
by the agency as a reporting unit.

(b) "Certificate" means a contract between a company and a
designated investor evidencing the terms of a guarantee granted

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

22 to a designated investor of an investment of funds in the
23 company.

24 (c) "Company" means the Florida Opportunity Fund.

25 (d) "Designated investor" means a person, entity, or
26 lender who is a party to a certificate.

27 (e) "Florida Opportunity Fund allocation manager" or
28 "allocation manager" means one or more fund-of-funds investment
29 managers hired by the Florida Opportunity Fund to raise capital
30 and invest assets of the company in venture capital funds.

31 (f) "Florida-based" means operating in this state at a
32 permanent address and maintaining at least one business unit in
33 this state.

34 (g) "Office" means the Governor's Office of Tourism,
35 Trade, and Economic Development.

36 (3) FLORIDA CAPITAL INVESTMENT.--

37 (a) The office shall account for moneys transferred under
38 this section separately within the Economic Development Trust
39 Fund created in s. 288.095. The office shall make all such
40 funds available for investments by the State Board of
41 Administration or its designated investment manager as
42 requested by the State Board of Administration. The State Board
43 of Administration or its designated investment manager shall
44 invest and reinvest the moneys in accordance with s. 215.47 and
45 subject to the terms of any trust agreement between the State
46 Board of Administration and the office. Fees and expenses
47 incurred by the State Board of Administration for investing the
48 moneys shall be deducted as provided in a trust agreement. Upon
49 request of the office, the State Board of Administration shall
50 liquidate investments and advance the proceeds to the company
51 as required to fund certificate obligations pursuant to this
52 section as well as the company's reasonable and necessary

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

operational expenses. The exercise by the State Board of Administration or its designated investment manager of powers conferred by this section shall be deemed and held to be the performance of essential public purposes.

(b) The State Board of Administration or its designated investment manager shall invest and reinvest any funds returned by the company in accordance with s. 215.47 and subject to the terms of any trust agreement between the State Board of Administration and the office. The company shall maintain necessary working capital moneys; obtain funding from the trust fund for certificate obligations, reasonable and necessary operating costs, or replenishment of working capital balances; and return for liquidity investment any moneys received in excess of the company's working capital needs.

(4) FLORIDA OPPORTUNITY FUND; CREATION; POWERS AND DUTIES.--

(a) Enterprise Florida, Inc., shall organize the Florida Opportunity Fund as a wholly owned, private, not-for-profit, limited liability Florida-based company. Enterprise Florida, Inc., shall be the company's sole owner. The Florida Opportunity Fund is not a public company or instrumentality of the state. Enterprise Florida, Inc., shall annually evaluate and report to the Governor, the President of the Senate, and the Speaker of the House of Representatives whether the company is being operated and state funds are being obligated in the best interest of the state.

(b) The Florida Opportunity Fund shall be governed by a board of directors consisting of five members who have expertise in the area of the selection and supervision of early-stage investment managers or in the fiduciary management of investment funds or who have expertise in other areas

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

84 considered appropriate by the appointment committee. The vice
85 chair of Enterprise Florida, Inc., shall select from among its
86 board of directors a five-person appointment committee to
87 appoint the company's initial board of directors. After
88 appointment of the initial board of directors, vacancies on the
89 board of directors shall be filled by appointment by Enterprise
90 Florida, Inc. The board of directors shall be appointed to
91 serve staggered 3-year terms in accordance with the company's
92 organizational documents. Members of the board of directors and
93 officers and employees of the company are subject to any
94 restrictions on conflicts of interest specified in the
95 organizational documents of the company and may not have an
96 interest in the Florida Opportunity Fund allocation manager or
97 in any investments made by the company. Members of the board of
98 directors shall serve without compensation but board members
99 and officers and employees of the company may be reimbursed for
100 all reasonable, necessary, and actual expenses, as determined
101 by the board and approved by Enterprise Florida, Inc.

102 (c) The company has all of the powers specified under
103 chapter 608 for limited liability companies and may indemnify
104 members of the board of directors to the broadest extent
105 permissible under the laws of this state. However, board
106 members and officers and employees of the company have a
107 fiduciary duty with respect to the management of company assets
108 and selection and oversight of the company's allocation manager
109 and shall discharge those duties in the best interest of the
110 state.

111 (d) The company is subject to chapter 119, relating to
112 public meetings, and s. 286.011, relating to public records.

113 (e) The company shall select a Florida Opportunity Fund
114 allocation manager for the raising and investing of capital by

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

115 the company. The allocation manager shall demonstrate expertise
116 in the successful management and fund allocation of investments
117 in venture capital funds. In selecting an allocation manager,
118 the company shall consider, among other pertinent factors, each
119 candidate's level of experience, probability of success in
120 fundraising, quality of management performance, investment
121 philosophy and process, prior investment fund results, and
122 potential for achieving the purposes of this section.

123 (f) The company shall guarantee private capital
124 investments in the company pursuant to this section and shall
125 issue certificates to designated investors evidencing the terms
126 of a guarantee. The company shall invest on a fund-of-funds
127 basis in seed and early-state venture capital funds having
128 experienced managers or management teams with demonstrated
129 experience, expertise, and a successful history in the
130 investment of venture capital funds, focusing on opportunities
131 in this state. The company may not make direct investments in
132 individual businesses. While not precluded from investing in
133 venture capital funds that have investments outside this state,
134 the company must require a venture capital fund to show a
135 record of successful investment in this state, to be based in
136 this state, or to have an office in this state staffed with a
137 full-time, professional, venture investment executive in order
138 to be eligible for investment. The company may negotiate any
139 terms and conditions for its investments, including the
140 clawback of management fees and other provisions that maximize
141 investment in seed and early-state Florida-based companies. The
142 company may charge fees and earn a rate of return for its
143 guarantees such that the company can pay for its operational
144 expenses and reinvest in venture capital funds to create new

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

145 businesses and jobs in this state and further diversify the
146 economy of this state.

147 (g) The company may not invest in a venture capital fund
148 unless that venture capital fund has raised capital from other
149 sources in an amount at least equal to the investment of the
150 company, such that the total invested in Florida-based
151 companies by the receiving venture capital fund totals at least
152 twice the investment of the company. Investments must be made
153 in Florida-based companies, including, without limitation,
154 enterprises in life sciences, information technology, advanced
155 manufacturing processes, aviation and aerospace, and homeland
156 security and defense, as well as other strategic technologies.

157 (5) ANNUAL REPORT.--The company shall submit an annual
158 report of its activities to the Governor, the President of the
159 Senate, and the Speaker of the House of Representatives within
160 3 months after the end of its fiscal year. The annual report
161 must include a copy of an independent audit of the company and
162 a valuation of the assets of the company, a review of the
163 progress of the Florida Opportunity Fund allocation manager in
164 implementing the allocation manager's investment plan, the rate
165 of return, and the benefits to the state resulting from this
166 program, including the amount of capital raised and deployed
167 and the amount of investment. The annual report must also
168 include a list of venture capital funds in which investments
169 were made and the number of Florida-based businesses created
170 and their associated industry.

171 Section 2. (1) For the 2006-2007 fiscal year, the sum of
172 \$300,000 is appropriated from the General Revenue Fund to the
173 Economic Development Trust Fund in the Office of Tourism,
174 Trade, and Economic Development to be used for start-up
175 activities necessary to implement s. 288.9621, Florida

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Statutes, including creation of the Florida Opportunity Fund and the solicitation, and related due diligence, required for contracting the services of the Florida Opportunity Fund allocation manager.

(2) For the 2006-2007 fiscal year, the sum of \$15 million is transferred from nonrecurring moneys in the General Revenue Fund to the Economic Development Trust Fund in the Office of Tourism, Trade, and Economic Development for subsequent investment in the Florida Opportunity Fund pursuant to s. 288.9621, Florida Statutes. Notwithstanding s. 216.301, Florida Statutes, any balance remaining in the trust fund at the end of any fiscal year shall remain in the trust fund and shall be available for carrying out the purposes of s. 288.9621, Florida Statutes. The transferred amount and any earnings on such amount are appropriated and may be used for the purposes of s. 288.9621, Florida Statutes, until July 1, 2020, at which time the sum of \$15 million or the balance of funds in the trust fund, whichever is less, shall be returned to the General Revenue Fund and any obligated funds for outstanding certificates shall remain until these certificates expire or are terminated. The Florida Opportunity Fund shall continue to administer its investments after July 1, 2020, until such investments are liquidated. Proceeds from liquidation of investments and any proceeds in excess of \$15 million may be retained for continuous reinvestment by the Florida Opportunity Fund, if an amount of not less than \$15 million has been returned to the General Revenue Fund on or before July 1, 2020. If at any time Enterprise Florida, Inc., dissolves the Florida Opportunity Fund, all assets of the Florida Opportunity Fund and any funds remaining for the purpose of this section shall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

revert to the General Revenue Fund. Enterprise Florida, Inc.,
may not sell or transfer ownership of the company.

Section 3. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to capital formation; creating s.
288.9621, F.S.; providing a short title; providing
definitions; requiring the Office of Tourism, Trade, and
Economic Development to account for certain moneys
separately within the Economic Development Trust Fund;
requiring the office to make certain funds available for
investment by the State Board of Administration; providing
for deducting certain fees and expenses; requiring the
State Board of Administration to liquidate investments and
advance proceeds to the Florida Opportunity Fund for
certain purposes; providing investment requirements for
the State Board of Administration; providing operational
requirements for the Florida Opportunity Fund; requiring
Enterprise Florida, Inc., to organize the Florida
Opportunity Fund as a wholly owned private, not-for-profit
limited liability Florida-based company; requiring
Enterprise Florida, Inc., to annually evaluate the company
and report to the Governor and Legislature; providing for
a board of directors for the company; providing for
appointment and terms of board members; providing
requirements and limitations for board members; requiring
board members to serve without compensation; providing for
reimbursement of expenses of board members and company
officers and employees; specifying powers of the company;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

authorizing the company to indemnify board members;
specifying a fiduciary duty of board members and companyt
officers and employees; subjecting the company to public
meetings and public records requirements; specifying
duties of the company; requiring the company to select a
Florida Opportunity Fund allocation manager; specifying
duties and requirements of the allocation manager;
requiring the company to guarantee private capital
investments in the company; providing requirements for
such guarantees; specifying investment requirements for
the company; specifying investment limitations and
prohibitions for the company; requiring the company to
issue an annual report the Governor and the Legislature;
specifying report requirements; providing for an
independent audit; providing for a transfer of
nonrecurring funds in the General Revenue Fund to the
Economic Development Trust Fund for subsequent investment
in the Florida Opportunity Fund; providing for retention
of balances in the trust fund each year; providing for
continuing appropriation and use of such moneys for a
certain time period; providing for return of certain funds
to the General Revenue Fund; requiring the company to
continue administering investments for certain purposes;
providing for continuous reinvestment of certain funds by
the company; providing for reversion of assets and funds
of the company to the General Revenue Fund under certain
circumstances; prohibiting Enterprise Florida, Inc., from
selling or transferring ownership of the company;
providing an effective date.

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 7055 CS : Enterprise Zones

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Susan Bucher	X				
Donna Clarke				X	
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso	X				
Gayle Harrell			X		
Adam Hasner	X				
Edward Jennings	X				
Randy Johnson	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 15		Total Nays: 0			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

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COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Committee

4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

HB 7167 : Growth Management

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Loranne Ausley			X		
Gus Bilirakis	X				
Ellyn Setnor Bogdanoff	X				
Susan Bucher		X			
Donna Clarke				X	
Marti Coley	X				
Joyce Cusack	X				
Mike Davis			X		
Richard Glorioso	X				
Gayle Harrell	X				
Adam Hasner	X				
Edward Jennings	X				
Randy Johnson	X				
Dick Kravitz	X				
Marcelo Llorente	X				
Sheri McInvale	X				
Pat Patterson	X				
Ray Sansom	X				
Irving Slosberg	X				
Don Davis (Chair)			X		
Total Yeas: 15		Total Nays: 1			

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 7167

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED ✓ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



Council/Committee hearing bill: Transportation & Economic
Development Appropriations Committee
Representative Johnson offered the following:

Amendment

Remove line(s) 387 and insert:
proposed concurrency management area as described in this

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. 7167

COUNCIL/COMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

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1 Council/Committee hearing bill: Transportation & Economic
2 Development Appropriations Committee
3 Representative Johnson offered the following:

Amendment

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6 Remove lines 173-177 and insert:
7 school concurrency service areas. The agreement must ensure

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. 7167

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	f	(Y/N)
ADOPTED W/O OBJECTION	√	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	



Council/Committee hearing bill: Transportation & Economic
Development Appropriations Committee
Representative Johnson offered the following:

Amendment (with title amendment)

Remove lines 870-921 and insert:

Section 10. Paragraph (a) of subsection (2) of section 27
of chapter 2005-290, Laws of Florida, is amended to read:

Section 27.

(2) The following appropriations are made for the 2005-
2006 fiscal year only on a nonrecurring basis:

(a) From the State Transportation Trust Fund in the
Department of Transportation:

1. One hundred and seventy-five ~~Two hundred~~ million
dollars for the purposes specified in sections 339.61, 339.62,
339.63, and 339.64, Florida Statutes.

2. Two hundred seventy-five million dollars for the
purposes specified in section 339.2819, Florida Statutes.

3. One hundred million dollars for the purposes specified
in section 339.55, Florida Statutes.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

22 4. Twenty-five million for the purposes specified in
23 section 339.2817, Florida Statutes.

24 Section 11. Paragraph (a) of subsection (2) of section
25 1013.65, Florida Statutes, is amended to read:

26 1013.65 Educational and ancillary plant construction
27 funds; Public Education Capital Outlay and Debt Service Trust
28 Fund; allocation of funds.--

29 (2)(a) The Public Education Capital Outlay and Debt
30 Service Trust Fund shall be comprised of the following sources,
31 which are hereby appropriated to the trust fund:

32 1. Proceeds, premiums, and accrued interest from the sale
33 of public education bonds and that portion of the revenues
34 accruing from the gross receipts tax as provided by s. 9(a)(2),
35 Art. XII of the State Constitution, as amended, interest on
36 investments, and federal interest subsidies.

37 2. General revenue funds appropriated to the fund for
38 educational capital outlay purposes.

39 3. All capital outlay funds previously appropriated and
40 certified forward pursuant to s. 216.301.

41 4.a. Funds paid pursuant to s. 201.15(1)(d).

42 ~~b. The sum of \$41.75 million of such funds shall be~~
43 ~~appropriated annually for expenditure to fund the Classrooms for~~
44 ~~Kids Program created in s. 1013.735 and shall be distributed as~~
45 ~~provided by that section.~~

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48 ===== T I T L E A M E N D M E N T =====

49 Remove lines 16-23 and insert:
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

51 with local governing bodies; amending s. 27, ch. 2005-290,
52 Laws of Florida; revising an appropriation from the State
53 Transportation Trust Fund for Florida Strategic Intermodal
54 system purposes; amending s. 1013.65, F.S.; revising
55 provisions relating to appropriations to the Public
56 Education Capital Outlay and Debt Service Trust Fund;
57 deleting the sum appropriated for the Classrooms for Kids
58 Program; providing an effective date.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Substitute To Amendment No. 4

Bill No. **HB 7167**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED / (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____



Council/Committee hearing bill: Transportation & Economic
Development Appropriations
Representative(s) Johnson offered the following:

**Substitute Amendment for Amendment (4) by Representative
Johnson (with directory and title amendments)**

Remove line(s) 574-588 and insert:
share mitigation options. A local government that fails to adopt
a methodology for assessing proportionate fair-share mitigation
options by December 1, 2006, shall be subject to the sanctions
described in s. 163.3184(11)(a) imposed by the Administration
Commission. By December 1, 2005, the Department of
Transportation shall develop a model transportation concurrency
management ordinance with methodologies for assessing
proportionate fair-share mitigation options.

(b)1. In its transportation concurrency management system,
a local government shall, by December 1, 2006, include
methodologies that will be applied to calculate proportionate
fair-share mitigation. A local government that fails to include
such methodologies by December 1, 2006, shall be subject to the
sanctions described in s. 163.3184(11)(a) imposed by the
Administration Commission. A developer may choose to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Substitute To Amendment No. 4

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===== T I T L E A M E N D M E N T =====

Remove line(s) 8 and insert:

procedures; providing sanctions; amending ss. 163.3184 and
339.2819, F.S.;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

Bill No. 7167

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Transportation & Economic
Development Appropriations Committee
Representative Johnson offered the following:

Amendment (with title amendment)

Remove lines 574-588 and insert:
share mitigation options. A local government that fails to adopt
a methodology for assessing proportionate fair-share mitigation
options by December 1, 2006, shall be subject to the sanctions
described in s. 163.3184(11)(a) imposed by the Administration
Commission and may not impose any transportation impact fee
after that date until such methodology has been adopted. By
December 1, 2005, the Department of Transportation shall develop
a model transportation concurrency management ordinance with
methodologies for assessing proportionate fair-share mitigation
options.

(b)1. In its transportation concurrency management system,
a local government shall, by December 1, 2006, include
methodologies that will be applied to calculate proportionate
fair-share mitigation. A local government that fails to include
such methodologies by December 1, 2006, shall be subject to the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4

22 | sanctions described in s. 163.3184(11)(a) imposed by the
23 | Administration Commission and may not impose any transportation
24 | impact fee after that date until such methodologies have been
25 | adopted. A developer may choose to

26 |
27 | ===== T I T L E A M E N D M E N T =====

28 | Remove line 8 and insert:
29 | procedures; providing sanctions; amending ss. 163.3184 and
30 | 339.2819, F.S.;

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COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Committee
4/17/2006 3:00:00PM

Location: Reed Hall (102 HOB)

Summary:

Transportation & Economic Development Appropriations Committee

Monday April 17, 2006 03:00 pm

HB 959 CS	Favorable	Yeas: 15	Nays: 0
HB 1115 CS	Favorable	Yeas: 12	Nays: 1
HB 1359 CS	Favorable	Yeas: 12	Nays: 0
HB 1467 CS	Favorable With Committee Substitute	Yeas: 13	Nays: 1
HB 7055 CS	Favorable	Yeas: 15	Nays: 0
HB 7167	Favorable With Committee Substitute	Yeas: 15	Nays: 1

Committee meeting was reported out: Monday, April 17, 2006 7:51:51PM